

Attorney Docket No.: CJL-0002  
Inventors: Odidi and Odidi  
Serial No.: 09/765,783  
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#### REMARKS

Claims 1-62 are pending in the instant application. Claims 1-62 have been rejected. Claims 1, 5, 25, 27, 28, 29, 37, 39, 40 and 62 have been amended. No new matter has been added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks.

#### Rejection of Claims 1-62 under 35 U.S.C. § 112, second paragraph

Claims 1-62 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Examiner suggests that the terminology "reacting" with respect to their mixing of their blends with solvent is confusing as to intent as it is not seen as a reaction but rather mixing. Accordingly, in an earnest effort to advance the prosecution of this case, Applicants have replaced the term "reacting" or "reaction" in claims 1, 29 and 62 and claim 5, respectively, with the term --mixing--. Further, Applicant have deleted the term "reactied" before the term --mixture-- in claim 5.

The Examiner also suggests that the term "deformable to the touch" in claims 1, 29 and 62 is a relative term which renders

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the claims indefinite. Accordingly, in an earnest effort to advance the prosecution of this case, Applicants have deleted the phrase "to the touch".

In addition, the Examiner suggests that the term "high shear" in claims 1, 29 and 62 is a relative term which renders the claims indefinite. Applicants respectfully disagree.

MPEP § 2173 is quite clear; definiteness of claim language must be analyzed, not in a vacuum, but in light of:

- (A) The content of the particular application disclosure;
- (B) The teachings of the prior art; and
- (C) The claim interpretation that would be given by one possessing the ordinary level of skill in the pertinent art at the time the invention was made. The term "high shear" is a term of art, the meaning of which is understood by the skilled artisan, particularly in light of the numerous examples and overall teachings of the instant specification. Accordingly, meaning of the term "high shear" as used in the instant claims is clear and definite, when read by one of skill in the art in light of the teachings of the specification as required by MPEP § 2173. Accordingly, further clarification of this term is not required.

Withdrawal of all rejections under 35 U.S.C. § 112, second paragraph, is respectfully requested in light of the amendments

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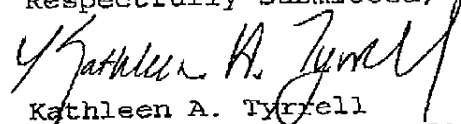
to the claims and the above remarks.

Claims 25, 27, 28, 37, 39 and 40 have also been amended to correct inadvertent typographical and/or clerical errors. No new matter has been added by these amendments.

#### Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,

  
Kathleen A. Tyrrell  
Registration No. 38,350

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Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053

(856) 810-1515